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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,805	10/30/2000	William Thornton	98006/17UTL	8722
23873	7590	11/09/2004	EXAMINER	
ROBERT W STROZIER, P.L.L.C PO BOX 429 BELLAIRE, TX 77402-0429			ART UNIT	PAPER NUMBER

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliance  
With 37 CFR 1.192(c)**

Application No.

09/699,805

Applicant(s)

THORNTON, WILLIAM

Examiner

John L. Sotomayor

Art Unit

3714

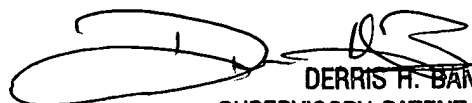
--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 17 August 2004 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☒ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☒ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☒ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☐ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☒ A single ground of rejection has been applied to two or more claims in this application, and
  - (a) ☒ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
  - (b) ☐ the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☒ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

See Continuation Sheet

  
DERRIS H. BANKS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700

Continuation of 9. Other (including any explanation in support of the above items): Regarding requirement of 37 CFR 1.192(c )(3), the applicant is required to identify the status of all claims and which claims are to be considered for appeal.

Regarding requirement of 37 CFR 1.192(c )(4), the applicant is required to identify the status of any amendments made subsequent to the final rejection in the case. The applicant has included the text of the final rejection in the appeal.

Regarding requirement of 37 CFR 1.192(c )(5), the applicant is required to provide a concise statement of the invention and refer to the page and item numbers in the specification for support of the statements in the summary. Applicant has provided no listing of page and numbers in support of the summary presented.

Regarding requirement of 37 CFR 1.192(c )(7), the applicant is required to present groupings of all claims to be considered as individual groups from which a single claim will be selected to represent the entire group unless a statement that all of the claims in the group do not stand or fall together is included. The applicant has provided no claim groupings and no indication of whether the claims do or do not stand or fall together.

Regarding requirement of 37 CFR 1.192(c )(8), the applicant is required to submit arguments for each ground of rejection identified in the final rejection following the format set forth in MPEP 1206(c )(8). Applicant has not submitted arguments for each ground of rejection. .